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01/17/02

JCS25 U.S. PTO

UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
D-2933CIP

Borsey

Total Pages in this Submission

TO THE ASSISTANT COMMISSIONER FOR PATENTSBox Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

METHODS OF ADMINISTERING BOTULINUM TOXIN

J1050 U.S. PTO
10/05/952
01/17/02

and invented by:

Patricia S. Walker

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 09/730,237

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 57 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☒ Cross References to Related Applications (if applicable)
 - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
 - d. ☐ Reference to Microfiche Appendix (if applicable)
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☐ Brief Description of the Drawings (if drawings filed)
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

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Application Elements (Continued)

3. ☐ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
- a. ☐ Formal Number of Sheets _____
- b. ☐ Informal Number of Sheets _____
4. ☒ Oath or Declaration
- a. ☒ Newly executed *(original or copy)* ☐ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference *(usable if Box 4b is checked)*
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Program in Microfiche *(Appendix)*
7. ☒ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
- a. ☒ Paper Copy
- b. ☒ Computer Readable Copy *(identical to computer copy)*
- c. ☒ Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

8. ☐ Assignment Papers *(cover sheet & document(s))*
9. ☒ 37 CFR 3.73(B) Statement *(when there is an assignee)*
10. ☐ English Translation Document *(if applicable)*
11. ☒ Information Disclosure Statement/PTO-1449 ☒ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail *(Specify Label No.):* EL608288037US

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(Large Entity)**

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D-2933CIP

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Accompanying Application Parts (Continued)

15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*

16. ☒ Additional Enclosures *(please identify below):*

Application Data Sheet

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

17. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

UTILITY PATENT APPLICATION TRANSMITTAL
(Larg Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
D-2933CIP

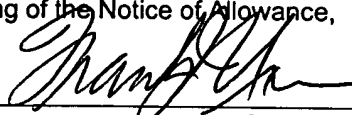
Total Pages in this Submission

Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	35	- 20 =	15	x \$18.00	\$270.00
Indep. Claims	6	- 3 =	3	x \$84.00	\$252.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$740.00
OTHER FEE (specify purpose) <u>Assignment Recordation</u>					\$40.00
TOTAL FILING FEE					\$1,302.00

- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **01-0885** as described below. A duplicate copy of this sheet is enclosed.
- ☒ Charge the amount of **\$1,302.00** as filing fee.
 - ☒ Credit any overpayment.
 - ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
 - ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).


Signature

Dated:

1/17/02

Frank J. Uxa
Reg. No. 25,612
Stout, Uxa, Buyan & Mullins, LLP
4 Venture, Suite 300
Irvine, CA 92618
Tel: 949-450-1750

cc:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application:	/	
Patricia S. Walker	/	BOX NEW APP FEE
	/	
Filed: Herewith	/	
	/	
For: METHODS OF ADMINISTERING	/	
BOTULINUM TOXIN	/	
	/	
	/	

EXPRESS MAIL MAILING LABEL NO.

EL608288037US

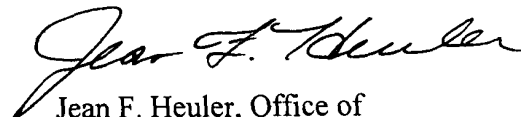
Date of Deposit: **January 17, 2002**

I hereby certify that the following documents as identified below are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under CFR 1.10 on the date indicated above and are addressed to the Commissioner for Patents, Box New App Fee, Washington, D.C. 20231:

1. Transmittal letter;
2. Specification/Claims/Abstract 57 pages;
3. Declaration and Power of Attorney;
4. Application Data Sheet;
5. Assignment and Recordation Form Cover Sheet;
6. Information Disclosure Statement;
7. Form 1449 and copies of eight (8) cited art references;
8. Sequence Listing - Paper copy;
9. Sequence Listing - CRF;
10. Statement regarding compliance with 37 CFR 1.821-1.825;
11. Return Receipt postcard.

Each of the 11 above-identified documents are enclosed herewith.

Respectfully submitted,



Jean F. Heuler, Office of
Frank J. Uxa
Attorney for Applicant
Registration No. 25,612
4 Venture, Suite 300
Irvine, CA 92618

Telephone 949/ 450-1750
Facsimile 949/ 450-1764

D-2933CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT

In re application of:)
Patricia Walker)
Serial No. Pending)
Dated: Herewith)
For: METHODS OF ADMINISTERING)
BOTULINUM TOXIN)

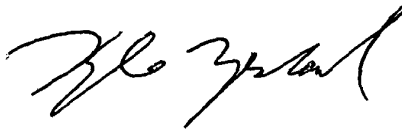
ENTRY OF SEQUENCE LISTING

Commissioner for Patents
Washington, DC 20231

Dear Sir:

Attached is the "Sequence Listing" which complies with the requirements of 37 CFR 1.821-1.825, for the above-identified application, in computer readable form (CRF) and paper form. The contents of the paper and computer readable copies are the same and include no new matter.

Respectfully submitted,



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